



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/652,611	08/30/2000	Charles E. Cantwell	10003898-1	4360

7590 09/29/2004

Hewlett Packard Company
Intellectual Property Administration
P O Box 272400
Fort Collins, CO 80527-2400

EXAMINER

YUSSUF, SAJID

ART UNIT	PAPER NUMBER
----------	--------------

2141

DATE MAILED: 09/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action	Application No. 09/652,611	Applicant(s) CANTWELL, CHARLES E.	
	Examiner Sajid A Yussuf	Art Unit 2141	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 23 July 2004 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
- ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See attached detailed action.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☐ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: _____.

Claim(s) withdrawn from consideration: _____.

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Response to Arguments

Applicant's arguments filed 7/23/04 have been fully considered but they are not persuasive.

Applicant states that Franklin clearly does not disclose that the coordinate system is included in the proximity attribute 152. Furthermore, it is not inherent that Franklin includes the coordinate system in the proximity attribute, or elsewhere. The coordinate system may be a known coordinate system, universally applied. A known coordinate system need not be included in the proximity attribute as it would be supplying unneeded information. Therefore, not only does Franklin not disclose the proximity attribute including a coordinate system, but Franklin also does not suggest the proximity attribute including a coordinate system.

Examiner disagrees; the claim language presented by applicant does not disclose a coordinate system in the proximity attribute. Applicant is advised that claims will be reviewed in light of the specification wherein the specification will not be read into the claim language. Franklin teaches a directory service of resources wherein each resource has an application object which contains attributes of the resource (Franklin: Page 1, paragraph [0015]; Page 4, paragraph [0044]). Franklin further teaches where the application object contains a logical position, and geographical identifiers (Franklin: Page 4, paragraph [0054]); wherein the geographical identifier is inherently known as a coordinate system. A broad depiction of a coordinate system can be any geographical identifier that presents any area. By disclosing position information in the prior art, it is (as stated in the final action) inherent that a coordinate system exists in the Franklin reference such that it may access the position of the resource. Franklin furthermore, discloses a proximity attribute, however not disclosed in claim language, Franklin teaches of a proximity attribute, (See Paragraph(s) 0021).

Art Unit: 2141

Applicant further states that Franklin does not disclose any structure that includes a coordinate system and coordinates for a resource.

Examiner disagrees, Franklin discloses a structure that includes a coordinate system and coordinates for a resource wherein Franklin discloses a proximity attribute that includes a geographical identifier that not only the physical location of a user but also provides the proximity of application objects and is associated resources, (See Paragraph 0054).

Applicant even further states that the remaining dependent claims are also allowable because they contain all of the limitations of their respective independent claims and further add structural and functional limitations.

Examiner disagrees, as the remaining dependent claims are not allowable.

Conclusion

1. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajid A. Yussuf whose telephone number is (703) 305-8752. The examiner can normally be reached on Monday-Thursday 7:30-5:00 PM and Alternate Fridays.

2. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306

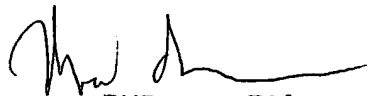
3. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information

Art Unit: 2141

for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sajid A. Yussuf
Examiner
Art Unit 2141

Sajid Yussuf
Patent Examiner
Technology center 2100
27 September 2004


RUPAL DHARIA
SUPERVISORY PATENT EXAMINER